



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

SB2369

Introduced 2/14/2008, by Sen. Susan Garrett

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Phosphorous Turf Fertilizer Use Restriction Act. Provides that, beginning July 1, 2009, a person may not apply a fertilizer containing the plant nutrient phosphorus to turf in this State. Provides that the restriction does not apply when (i) a tissue, soil, or other test by a laboratory or method approved by the Agency and performed within the immediately preceding 3 years indicates that the level of available phosphorus in the soil is insufficient to support healthy turf growth or (ii) the property owner or an agent of the property owner is first establishing turf via seed or sod procedures, but only during the first growing season. Sets a maximum fine for violation of the restriction. Provides that the University of Illinois Extension Service, in cooperation with the Environmental Protection Agency, shall study and evaluate phosphorus needs of turf throughout the State and develop the standard for the minimum amount of available phosphorus needed to support healthy turf growth. Requires the Environmental Protection Agency to produce consumer information on use restrictions and recommended best practices for lawn fertilizer containing phosphorus and on the best management practices for other residential sources of phosphorus in the urban landscape. Effective immediately

LRB095 18421 BDD 44507 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Phosphorous Turf Fertilizer Use Restriction Act.

6 Section 5. Findings and intent. The General Assembly finds  
7 that most Illinois soils hold a sufficient amount of available  
8 phosphorus to support healthy turf growth. The General Assembly  
9 also finds that excessive phosphorus in aquatic environments is  
10 a pollutant, contributing to the decline of oxygen used by  
11 aquatic species to support life. The intent of this Act is to  
12 restrict the use of phosphorus in fertilizer that is applied to  
13 turf.

14 Section 10. Definitions.

15 "Agency" means Illinois Environmental Protection Agency.

16 "Extension Service" means University of Illinois Extension  
17 Service.

18 "Available phosphorus" means the sum of the phosphorus that  
19 is soluble in water plus that which is soluble in a citrate  
20 solution.

21 "Turf" means non-crop land planted in closely mowed,  
22 managed grasses including, but not limited to, residential and

1 commercial residential property and property owned by federal,  
2 state, or local units of government, including parks and  
3 recreation areas. Turf does not mean pasture, hay land, hay,  
4 turf grown on turf farms, or any other form of agricultural  
5 production.

6 Section 15. Phosphorus use restrictions.

7 (a) Beginning July 1, 2009, a person may not apply a  
8 fertilizer containing the plant nutrient phosphorus to turf in  
9 this State, except as provided in subsection (b) of this  
10 Section.

11 (b) Subsection (a) of this Section does not apply when:

12 (1) a tissue, soil, or other test by a laboratory or  
13 method approved by the Agency and performed within the  
14 immediately preceding 3 years indicates that the level of  
15 available phosphorus in the soil is insufficient to support  
16 healthy turf growth; or

17 (2) the property owner or an agent of the property  
18 owner is first establishing turf via seed or sod  
19 procedures, but only during the first growing season.

20 (c) Applications of phosphorous fertilizer authorized  
21 under subsection (b) of this Section must not exceed rates  
22 recommended by the Extension Service and approved by the  
23 Agency.

24 Section 20. Phosphorus requirement. The Extension Service,

1 in cooperation with the Agency, shall study and evaluate  
2 phosphorus needs of turf throughout the State and develop the  
3 standard for the minimum amount of available phosphorus needed  
4 to support healthy turf growth within a year after the  
5 effective date of this Act.

6 Section 25. Consumer information. The Agency, in  
7 consultation with the Extension Service, fertilizer and turf  
8 industry representatives, water quality groups, and other  
9 interested or affected parties, must produce consumer  
10 information on use restrictions and recommended best practices  
11 for lawn fertilizer containing phosphorus and on the best  
12 management practices for other residential sources of  
13 phosphorus in the urban landscape. The information must be in a  
14 format and content suitable for posting and distribution at  
15 retail points of sale of fertilizer that contains phosphorus  
16 and is for use on turf.

17 Section 30. Penalty. A person who violates Section 15 of  
18 this Act is guilty of a petty offense and shall be fined not  
19 more than \$300.

20 Section 35. Local enforcement. It shall be the obligation  
21 of local governments, as well as the Agency, to enforce by  
22 appropriate means the prohibitions of this Act.

23 Section 99. Effective date. This Act takes effect upon

1 becoming law.